

JANUARY 14, 2003

REGULAR SESSION

7:00 P.M.

The Regular Session was **called to order at 7:09 P.M.**, following a Work Session, by Mayor Stone with Councilmembers Harriman, Simillion, McKenna and Hart present along with City Attorney Landwehr, City Manager Collins, City Clerk Davidson, Police Chief Keehne, Community Development Director Hannon, Public Works Director Coleman, City Planner Cullis, several interested citizens and the press.

Consideration of Minutes:

Regular Session Minutes of December 10, 2002.

Councilmember Harriman moved and Councilmember Simillion seconded the motion to approve the Regular Session minutes of December 10, 2002, as circulated.

Roll call vote, yes: Simillion, Harriman, McKenna, Hart. So carried.

Roll call vote, no: None.

Mayor Stone abstained, as he was not in attendance at that meeting.

Pre-Scheduled Citizens: Gary Mecham with Colorado Association of Chiefs of Police - Presentation on Gunnison Police Department Accreditation. Mr. Mecham, Chief of the Montrose Police Department, came forward and explained he is on the Executive Board of the Colorado Association of Chiefs of Police. He informed the Council the Gunnison Police Department has been re-accredited, for the second time, by the Colorado Association of Chiefs of Police. The Gunnison Police Department meets the standards that are used for national accreditation. Some of the standards examined were: ethics, conduct, personnel hiring and evaluation, training, records management, property management, how the officers perform their duties, use of force, vehicle pursuits and community involvement. The evaluators were particularly impressed by the Gunnison Police Department's positive involvement with Western State College and the attending students. Only 31 of the 300 police forces in the state are accredited. Mr. Mecham presented a plaque to Gunnison Police Chief Keehne.

Police Chief Keehne thanked the Colorado Association of Chiefs of Police and Chief Mecham, and complimented his Police Department Staff for the work they do. Mayor Stone complimented and thanked Chief Keehne and his Staff.

Unfinished Business: None.

New Business:

Narrowing of City Rights-of-Way Policy. City Attorney Landwehr stated, as discussed in the Work Session prior to this Regular Session meeting, City Staff is recommending Council adopt the Narrowing of City Rights-of-Way Policy that was developed by the City's Planning & Zoning Commission and City Staff and was outlined in the prior Work Session. Council made several suggestions for changes to the policy during that Work Session.

Councilmember Harriman moved and Councilmember Hart seconded the motion to table the Narrowing of City Rights-of-Way Policy until City Staff incorporates the changes and modifications requested by Council at the Work Session.

Roll call vote, yes: Harriman, Stone, McKenna, Hart, Simillion. So carried.

Roll call vote, no: None.

Designation of Public Place for Posting of Official City Agendas and Minutes. City Clerk Davidson stated that according to State statute, the City must designate its official posting place for posting City agendas and minutes, at its first regular meeting of each year.

Councilmember Hart moved and Councilmember Simillion seconded the motion to designate the bulletin board located inside the north door, off of the Virginia Avenue entrance, and the bulletin board located inside the east entry door, off of the Wisconsin Street entrance, be designated as the official posting places for the City of Gunnison.

Roll call vote, yes: Stone, McKenna, Hart, Simillion, Harriman. So carried.

Roll call vote, no: None.

Ordinance and Resolutions: None.

City Attorney: Virginia Avenue Vacation. City Attorney Landwehr informed Council that the vacation application was originally for the full width of Virginia Avenue. At that time, Mr. Perry Anderson, the adjacent property owner, stated he was in favor of the vacation. Mr. Anderson has now decided not to proceed at this time with the vacation. The City is now requesting only the northern 15 feet of Virginia Avenue be vacated. The vacation will bring the new City Shop storage building into compliance. If Mr. Anderson still wants to go ahead at this time with the full width vacation, that can be accomplished as well. The partial vacation doesn't tie the City's hands in a future vacation. However, the City will now proceed with the partial vacation. The City Attorney stated he would rewrite the Ordinance to reflect the partial vacation. Councilmember McKenna asked for an on-site tour of the area in question. Public Works Director Coleman stated he would be happy to take any of the Councilmembers on a tour of the area. Council consensus was to proceed with the partial vacation.

Retention of Legal Counsel (Anderson, Dude and Lebel) for City Utility Issues. City Attorney Landwehr informed Council that there has been a catastrophic failure of the new substation transformer that was powered up in September. The unit failed on December 17, and major components were burned out. The City has \$260,000 invested in the equipment. It looks like we will be dealing with a warranty claim with Western United, the distributor of the equipment, and/or Sunbelt, who is the manufacturer of the transformer. The City Attorney and City Staff's recommendation is to extend the agreement the City already has with the law firm of Anderson, Dude and Lebel, to include any legal action in connection with the transformer failure and to retain the services of an expert who can determine the cause of the transformer failure. Council has before them this evening a copy of a Curriculum Vitae for Steven P. Bailey, an attorney with the firm, and a copy of the Attorney-Client Agreement.

Mayor Stone asked the City Attorney if he had reviewed the agreement. City Attorney Landwehr stated yes, he had reviewed it and it is a standard agreement.

Councilmember Harriman moved and Councilmember Hart seconded the motion to authorize the extension of the City's agreement with the law firm of Anderson, Dude and Lebel, PC, to retain an expert to determine the cause of the transformer failure, and to authorize the Mayor's signature on the agreement to accomplish this action.

Roll call vote, yes: McKenna, Hart, Simillion, Harriman, Stone. So carried.
Roll call vote, no: None.

City Manager: Reported: 1. The Community Center Project Open House will be held this Thursday, at 7:00 P.M. at Webster Hall. The Council and the public are encouraged to attend. 2. Management Staff met this morning and are working on finalizing the 2003 Workplans. They will finish next Tuesday and the workplans will be distributed the last week in January.

Acting City Manager: Police Chief Keehne: Informed Council he will give his departmental report to Council at the next Regular Session. He had nothing further to report. Mayor Stone once again congratulated the Police Chief and his staff for achieving their re-accreditation.

Non-Scheduled Citizens: None.

General Discussion/Items for Work Sessions:

Councilmember Hart: Customer Service Work Team Meeting Report. Reported the Customer Service Work Team met the first week of January. January's ESP Award went to Mark Collins and Dennis Spritzer. The Work Team's first customer appreciation day of 2003 will be on Valentine's Day. The Team is also working on a community fundraising event, possibly a fun walk/run, to be held the first part of June.

Councilmember Hart then reported on the Planning and Zoning Commission meeting of January 8th. The Commission reviewed and approved a conditional use application by Gunnison YouthBuild. They also reviewed and approved an application for a home business, and reviewed two County IGA referrals, one for expansion at AmeriGas and one for the Cottonhurst Gravel Pit, that are located within the City's Three-Mile Plan Boundary. The City will forward the two referrals back to the County with no comment.

Mayor Pro Tem Harriman: Reported he attended the Regional Transportation Authority meeting. The committee discussed the winter airline bookings and the proposed summer airline service. They also discussed the contract with Alpine Express and the premiums awarded by Club Med for vacations. The committee decided to auction off the vacations to raise cash revenue.

Councilmember Simillion: Reported he and the City Manager met with the Community Church Board about the possible sale of Webster Hall. Councilmember Simillion stated it was a pretty positive meeting.

Councilmember McKenna: Informed Council the Gunnison Library Board is meeting tomorrow evening to discuss planning for a new library. He proposed offering, at no cost, an acre to an acre and one-half of land at the proposed Community Center site to the Library Board for a new library. Council discussed this proposal and directed City Manager Collins to extend this offer to the County and the Library Board.

City Attorney Landwehr informed Council that County Librarian Peggy Martin had approached him about providing his legal expertise to the Library Board in the process of potentially forming a Library District. The City Attorney stated he felt there was no conflict of interest. Council agreed there was no conflict and gave the City Attorney the go-ahead to proceed with the Library Board.

Mayor Stone: Reported he had been approached by a couple of citizens about leaving the Christmas decorations up longer next year, perhaps until after the Winter Carnival. The citizens complimented the City on the decorations and thought they would be a nice amenity for our winter visitors. City Manager Collins and Public Works Director Coleman agreed to do this next year.

Adjourned: 7:54 P.M.

Mayor

City Clerk